

REMARKS

An Office Action was mailed on October 6, 2003. Claims 2 - 9 are pending in the present application.

REJECTIONS UNDER 35 U.S.C. §§ 102, 103

Claims 9 and 2 - 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,777,994 to Takihiro et al. in view of U.S. Patent No. 5,796,736 to Suzuki. Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Takihiro in view of Suzuki and U.S. Patent No. 6,289,018 to Song. Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Takihiro in view of Suzuki, Song and U.S. Patent No. 5,608,720 to Biegel et al. Applicant respectfully traverses these rejections.

In independent claim 9, Applicant discloses a transmission apparatus including an ATM/user interface making contact with a first user network management system for a CLAD outside of the apparatus, A LAN interface making contact with another a second network management system for a CLAD in the apparatus, and an external interface making contact with a customer network management agent process, and a switch for setting up at least one permanent, logically-defined resource management information path for communicating between the customer network management agent process, the first user network management system and the second user network management system.

Takihiro discloses an ATM switch 1 for interconnecting an ATM LAN 2 with a legacy LAN 3 (see FIG. 1 of Takihiro). The Examiner suggests that Takihiro's switch 1

encompasses Applicant's claimed LAN interface, ATM interface and internal CLAD.

The Examiner acknowledges that:

Takihiro fails to expressly disclose a first or second user network management system and a first cell assembly and disassembly unit accommodated outside of the apparatus. Takihiro fails to disclose that the management function is an agent process and also fails to disclose a path permanently set in the switch.

Suzuki discloses an ATM network topology discovery method, directed to apparatus including a network management system A interconnected to an ATM network and a network management system B interconnected to an Ethernet network (see, e.g., column 6, lines 56 – 65 of Suzuki). The Examiner suggests, as Suzuki discloses an ATM terminal external to the ATM switch, that the terminal must have an associated CLAD external to the switch. The Examiner further notes that Suzuki discloses that a network management system agent uses SNMP to communicate, and that communications in the ATM network are effected over a PVC (see, e.g., column 6, lines 45 – 54). The Examiner suggests that it would have been obvious to use an SNMP agent process to manage the ATM switch.

Suzuki's network topology discovery method is directed to exchanging respective switch identifiers between a plurality of ATM switches and ATM terminals, and determining for each port on each switch and each terminal whether a network node interface or a user-network interface is present. In this manner, for example, each of network management system (NMS) A or B may perform configuration management of

the entire network of ATM switches and terminals (see, e.g., column 10, line 30 – column 11, line 27 of Suzuki).

This mechanism is quite different from the mechanism claimed by Applicants, in which an ATM switch is configured to include each of an ATM UNI, a LAN interface and an external interface each capable of communicating with each other over at least one permanent resource management path set in the switch in order to enable resource management messages between each of a customer network management agent process, a first user network management system and a second user network management system. Specifically, unlike Applicants' claimed invention, neither Takihiro or Suzuki, individually or in combination, disclose or suggest a method and means to provide for allowing communications between a plurality of network management processes (the customer network management agent process, the first user network management system and the second user network management system) via one or more permanently-set, logically-defined resource management paths provided in a transmission apparatus. Biegel and Song also fail to disclose this claimed feature of Applicant's invention.

Accordingly, Applicant respectfully submits that independent claim 9 is neither anticipated nor made obvious by any combination of the cited references, and therefore stands in condition for allowance. As claims 2 – 8 each depend from allowable claims 9, Applicant respectfully submits that claims 2 – 8 are also allowable for at least this reason.

CONCLUSION

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 2 -

9, which include independent claim 9 and the claims that depend therefrom, stand in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,



Thomas J. Bean
Reg. No. 44,528

CUSTOMER NUMBER 026304

KATTEN MUCHIN ZAVIS ROSENMAN
575 MADISON AVENUE
NEW YORK, NEW YORK 10022-2585
PHONE: (212) 940-8800/FAX: (212) 940-8776
DOCKET No.: FUJI 16.959 (100794-09769)